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General Assembly

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**Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples**

**Draft resolution submitted by the Chair**

# Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands

**A**
**General**

*The General Assembly*,

*Having considered* the questions of the Non-Self-Governing Territories of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands, hereinafter referred to as "the Territories",

*Having examined* the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2015,[1]

*Recalling* all resolutions and decisions of the United Nations relating to those Territories, including, in particular, the resolutions adopted by the General Assembly at its sixty-ninth session on the individual Territories covered by the present resolutions,

*Recognizing* that all available options for self-determination of the Territories are valid as long as they are in accordance with the freely expressed wishes of the peoples concerned and in conformity with the clearly defined principles contained in General Assembly resolutions 1514 (XV) of 14 December 1960, 1541 (XV) of 15 December 1960 and other resolutions of the Assembly,

[1] *Official Records of the General Assembly, Seventieth Session, Supplement No. 23* (A/70/23), chap. X.

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*Recalling* its resolution 1541 (XV), containing the principles that should guide Member States in determining whether or not an obligation exists to transmit the information called for under Article 73 *e* of the Charter of the United Nations,

*Expressing concern* that 55 years after the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[2] there still remain a number of Non-Self-Governing Territories,

*Conscious* of the importance of continuing the effective implementation of the Declaration, taking into account the target set by the United Nations to eradicate colonialism by 2020 and the plans of action for the Second[3] and Third International Decades for the Eradication of Colonialism,

*Recognizing* that the specific characteristics and the aspirations of the peoples of the Territories require flexible, practical and innovative approaches to the options for self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

*Noting* the stated position of the Government of the United Kingdom of Great Britain and Northern Ireland and the stated position of the Government of the United States of America on the Non-Self-Governing Territories under their administration,

*Noting also* the constitutional developments in some Non-Self-Governing Territories affecting the internal structure of governance about which the Special Committee has received information,

*Convinced* that the wishes and aspirations of the peoples of the Territories should continue to guide the development of their future political status and that referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

*Convinced also* that any negotiations to determine the status of a Territory must take place with the active involvement and participation of the people of that Territory, under the auspices of the United Nations, on a case-by-case basis, and that the views of the peoples of the Non-Self-Governing Territories in respect of their right to self-determination should be ascertained,

*Noting* that a number of Non-Self-Governing Territories have expressed concern at the procedure followed by some administering Powers, contrary to the wishes of the Territories themselves, of amending or enacting legislation for application to the Territories, either through orders in council, in order to apply to the Territories the international treaty obligations of the administering Power, or through the unilateral application of laws and regulations,

*Aware* of the importance of the international financial services and tourism sectors for the economies of some of the Non-Self-Governing Territories,

*Noting* the continued cooperation of the Non-Self-Governing Territories at the local and regional levels, including participation in the work of regional organizations,

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[2] Resolution 1514 (XV).

[3] A/56/61, annex.

*Mindful* that United Nations visiting and special missions provide an effective means of ascertaining the situation in the Territories, that some Territories have not received a United Nations visiting mission for a long time and that no visiting missions have been sent to some of the Territories, and considering the possibility of sending further visiting missions to the Territories at an appropriate time, in consultation with the relevant administering Powers and in accordance with the relevant resolutions and decisions of the United Nations on decolonization,

*Mindful also* that, in order for the Special Committee to enhance its understanding of the political status of the peoples of the Territories and to fulfil its mandate effectively, it is important for it to be apprised by the relevant administering Powers and to receive information from other appropriate sources, including the representatives of the Territories, concerning the wishes and aspirations of the peoples of the Territories,

*Acknowledging* the regular transmission by the administering Powers to the Secretary-General of information called for under Article 73 *e* of the Charter,

*Aware* of the importance both to the Territories and to the Special Committee of the participation of elected and appointed representatives of the Territories in the work of the Committee,

*Recognizing* the need for the Special Committee to ensure that the appropriate bodies of the United Nations actively pursue a public awareness campaign aimed at assisting the peoples of the Territories in gaining a better understanding of the options for self-determination,

*Mindful*, in that connection, that the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters, with the active participation of representatives of the Non-Self-Governing Territories, provides a helpful means for the Special Committee to fulfil its mandate and that the regional nature of the seminars, which alternate between the Caribbean and the Pacific, is a crucial element in the context of a United Nations programme for ascertaining the political status of the Territories,

*Noting* the stated positions of the representatives of the Non-Self-Governing Territories before the Special Committee and at its regional seminars,

*Welcoming* the Caribbean regional seminar held by the Special Committee in Managua and hosted by the Government of Nicaragua from 19 to 21 May 2015 as a significant and forward-looking event, which enabled the participants to assess the progress made in the decolonization process and to review the existing working methods of the Committee and renew its momentum in implementing its historic task,

*Recognizing* the importance of the conclusions and recommendations adopted by the seminar, which are annexed to the report of the Special Committee[4] and which outline the findings of the seminar, including, especially, the way forward for the decolonization process within the context of the proclamation by the General Assembly of the period 2011-2020 as the Third International Decade for the Eradication of Colonialism,[5]

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[4] *Official Records of the General Assembly, Seventieth Session, Supplement No. 23* (A/70/23).

[5] Resolution 65/119.

*Conscious* of the particular vulnerability of the Territories to natural disasters and environmental degradation, and in that connection bearing in mind the applicability to the Territories of the programmes of action or outcome documents of all United Nations world conferences and special sessions of the General Assembly in the economic and social spheres,

*Noting with appreciation* the contribution to the development of some Territories by the specialized agencies and other organizations of the United Nations system, in particular the Economic Commission for Latin America and the Caribbean, the Economic and Social Commission for Asia and the Pacific, the United Nations Development Programme, the World Food Programme, as well as regional institutions such as the Caribbean Development Bank, the Caribbean Community, the Organization of Eastern Caribbean States, the Pacific Islands Forum and the agencies of the Council of Regional Organizations in the Pacific,

*Recalling* the statement made by the representative of the Economic Commission for Latin America and the Caribbean at the 2015 Caribbean regional seminar that all seven Caribbean Non-Self-Governing Territories were active associate members of the Commission,

*Aware* that the Human Rights Committee, as part of its mandate under the International Covenant on Civil and Political Rights,[6] reviews the status of the self-determination process, including in small island Territories under examination by the Special Committee,

*Recalling* the ongoing efforts of the Special Committee in carrying out a critical review of its work with the aim of making appropriate and constructive recommendations and decisions to attain its objectives in accordance with its mandate,

*Recognizing* that the annual working papers prepared by the Secretariat on developments in each of the small Territories,[7] as well as the substantive documentation and information furnished by experts, scholars, non-governmental organizations and other sources, have provided important inputs to update the present resolutions,

*Recalling* the report of the Secretary-General on the Second International Decade for the Eradication of Colonialism,[8]

*Taking note* of the report of the Secretary-General on the implementation of General Assembly resolution 65/119 on the Third Decade for the Eradication of Colonialism,[9]

1. *Reaffirms* the inalienable right of the peoples of the Non-Self-Governing Territories to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;[2]

[6] See resolution 2200 A (XXI), annex.
[7] A/AC.109/2015/1, 4-12 and 14.
[8] A/65/330 and Add.1.
[9] A/70/73.

2. *Also reaffirms* that, in the process of decolonization, there is no alternative to the principle of self-determination, which is also a fundamental human right, as recognized under the relevant human rights conventions;

3. *Further reaffirms* that it is ultimately for the peoples of the Territories themselves to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection reiterates its long-standing call for the administering Powers, in cooperation with the territorial Governments and appropriate bodies of the United Nations system, to develop political education programmes for the Territories in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

4. *Stresses* the importance of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples being apprised of the views and wishes of the peoples of the Territories and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between the Non-Self-Governing Territories and their respective administering Powers;

5. *Requests* the administering Powers to continue to transmit regularly to the Secretary-General information called for under Article 73 *e* of the Charter;

6. *Calls upon* the administering Powers to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in the Territories, and encourages the administering Powers to facilitate visiting and special missions to the Territories;

7. *Reaffirms* the responsibility of the administering Powers under the Charter to promote the economic and social development and to preserve the cultural identity of the Territories, and, as a priority, to mitigate the effects of the current global financial crisis where possible, in consultation with the territorial Governments concerned, towards the strengthening and diversification of their respective economies;

8. *Requests* the Territories and the administering Powers to take all measures necessary to protect and conserve the environment of the Territories against any degradation, and once again requests the specialized agencies concerned to continue to monitor environmental conditions in the Territories and to provide assistance to those Territories, consistent with their prevailing rules of procedure;

9. *Welcomes* the participation of the Non-Self-Governing Territories in regional activities, including the work of regional organizations;

10. *Stresses* the importance of implementing the plans of action for the Second[3] and Third International Decades for the Eradication of Colonialism, in particular by expediting the application of the work programme for the decolonization of each Non-Self-Governing Territory, on a case-by-case basis, as well as by ensuring that periodic analyses are undertaken of the progress and extent

of the implementation of the Declaration in each Territory, and that the working papers prepared by the Secretariat on each Territory should fully reflect developments in those Territories;

11. *Urges* Member States to contribute to the efforts of the United Nations to usher in a world free of colonialism within the context of the International Decades for the Eradication of Colonialism, and calls upon them to continue to give their full support to the Special Committee in its endeavours towards that noble goal;

12. *Stresses* the importance of the various constitutional exercises in the respective Territories administered by the United Kingdom and the United States, and led by the territorial Governments, designed to address internal constitutional structures within the present territorial arrangements, and decides to follow closely the developments concerning the future political status of those Territories;

13. *Requests* the Secretary-General to continue to report to the General Assembly on a regular basis on the implementation of decolonization resolutions adopted since the declaration of the Third International Decade for the Eradication of Colonialism;

14. *Reiterates its request* that the Human Rights Committee collaborate with the Special Committee, within the framework of its mandate on the right to self-determination as contained in the International Covenant on Civil and Political Rights,[6] with the aim of exchanging information, given that the Human Rights Committee is mandated to review the situation, including political and constitutional developments, in many of the Non-Self-Governing Territories that are within the purview of the Committee;

15. *Requests* the Special Committee to continue to collaborate with the Economic and Social Council and its relevant subsidiary intergovernmental bodies, within the framework of their respective mandates, with the aim of exchanging information on developments in those Non-Self-Governing Territories which are reviewed by those bodies;

16. *Also requests* the Special Committee to continue to examine the question of the Non-Self-Governing Territories and to report thereon to the General Assembly at its seventy-first session and on the implementation of the present resolutions.

**B**

**Individual Territories**

*The General Assembly*,

*Referring* to resolution A above,

**I**

**American Samoa**

*Taking note* of the working paper prepared by the Secretariat on American Samoa[10] and other relevant information,

[10] A/AC.109/2015/12.

*Taking note also* of the statement made by the representative of the Governor of American Samoa at the Caribbean regional seminar held in Managua from 19 to 21 May 2015 that, while the Territory enjoyed a great deal of self-government, its current legal status was seen as an anachronism that exposed the Territory to situations beyond its control and needed to be remedied,

*Aware* that, under United States law, the Secretary of the Interior has administrative jurisdiction over American Samoa,[11]

*Recalling* the position of the administering Power and the statements made by representatives of American Samoa at regional seminars inviting the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to send a visiting mission to the Territory,

*Aware* of the work of the Future Political Status Study Commission, completed in 2006, the release of its report, with recommendations, in January 2007 and the creation of the American Samoa Constitutional Review Committee, as well as the holding in June 2010 of the Territory's fourth Constitutional Convention,

*Noting* the statement made by the representative of the Governor of American Samoa at the 2015 Caribbean regional seminar, expressing concern that the Territory continued to get its authority from the President and the Department of the Interior of the administering Power, that the Territory had no representation in the federal Congress and that its Constitution needed to be approved by the Government of the administering Power,

*Acknowledging* the outcome of the referendum held in November 2014, in which the proposal to give the Fono, the Territory's legislature, the authority to override the Governor's veto was rejected, and welcoming the discussion opened in the Territory as to the way forward,

*Taking note* of the decision of the United States Court of Appeals for the District of Columbia Circuit, issued on 5 June 2015, affirming the judgement of the United States District Court for the District of Columbia, which dismissed a lawsuit seeking a declaratory judgement that would have asserted that the citizenship clause of the Fourteenth Amendment of the Constitution of the United States extended to American Samoa,

*Acknowledging* the indication by the territorial Government, including at the 2015 Caribbean regional seminar, that certain federal laws have had and continue to have a debilitating impact on the Territory's ability to achieve sustainable economic growth,

*Aware* that, in July 2012, the United States passed Public Law 112-149, which includes a provision to delay the minimum wage increases in American Samoa, as provided by United States Public Law 110-28, until September 2015,

*Aware also* that American Samoa continues to be the only United States Territory to receive financial assistance from the administering Power for the operations of the territorial Government,

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[11] United States Congress, 1929 (48 U.S.C. Sec. 1661, 45 Stat. 1253), and Secretary's Order 2657, Department of the Interior, United States of America, 1951, as amended.

1. *Welcomes* the work of the territorial Government with respect to moving forward on political status, local autonomy and self-governance issues with a view to making political and economic progress and in particular the announcement of a dialogue among the people of American Samoa on the Territory's future political status;

2. *Acknowledges* the indication by the territorial Government that American Samoa remain on the list of Non-Self-Governing Territories, under the purview of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, until such time at which its people have exercised their right to self-determination;

3. *Expresses its appreciation* for the invitation extended in 2015 by the Governor of American Samoa to the Special Committee to send a visiting mission to the Territory, calls upon the administering Power to facilitate such a mission if the territorial Government so desires, and requests the Chair of the Special Committee to take all the steps necessary to that end;

4. *Requests* the administering Power to assist the Territory by facilitating its work concerning a public awareness programme, consistent with Article 73 *b* of the Charter of the United Nations, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

5. *Calls upon* the administering Power to assist the territorial Government in the diversification and sustainability of the economy of the Territory and to address employment and cost-of-living issues;

## II
## Anguilla

*Taking note* of the working paper prepared by the Secretariat on Anguilla[12] and other relevant information,

*Recalling* the holding of the 2003 Caribbean regional seminar in Anguilla, hosted by the territorial Government and made possible by the administering Power, the first time that the seminar had been held in a Non-Self-Governing Territory,

*Recalling also* the statement made by the representative of Anguilla at the Pacific regional seminar held in Quito from 30 May to 1 June 2012 that the people of the Territory were concerned that they were being denied the full range of decolonization options under a drafting exercise that began in 2011,

*Aware* of the follow-up meeting, held after the 2012 Pacific regional seminar, between the Chair of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Chief Minister of Anguilla, who reiterated the urgent need for a visiting mission,

*Noting* the internal constitutional review process resumed by the territorial Government in 2006, the work of the Constitutional and Electoral Reform Commission, which prepared its report in August 2006, the holding of public and other consultative meetings in 2007 on proposed constitutional amendments to be presented to the administering Power, the decisions taken in 2008 and 2011 to set up

[12] A/AC.109/2015/14.

a drafting team to prepare a new constitution and present it for public consultation in the Territory and the recent efforts undertaken in that regard,

*Noting also* the participation of the Territory as a member in the Caribbean Overseas Countries and Territories Council and an associate member in the Caribbean Community, the Organization of Eastern Caribbean States and the Economic Commission for Latin America and the Caribbean,

*Taking note* of the general elections which took place in April 2015,

1. *Welcomes* the preparations made for a new constitution, and urges that constitutional discussions with the administering Power, including public consultations, be concluded as soon as possible;

2. *Requests* the administering Power to assist the Territory in its current efforts with regard to advancing the internal constitutional review exercise, if requested;

3. *Stresses* the importance of the previously expressed desire of the territorial Government for a visiting mission by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, calls upon the administering Power to facilitate such a mission, if the territorial Government so desires, and requests the Chair of the Special Committee to take all the necessary steps to that end;

4. *Requests* the administering Power to assist the Territory by facilitating its work concerning public consultative outreach efforts consistent with Article 73 *b* of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

5. *Calls upon* the administering Power to assist the territorial Government in strengthening its commitments in the economic domain, including budgetary matters, with regional support as needed and appropriate;

6. *Welcomes* the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

## III
## Bermuda

*Taking note* of the working paper prepared by the Secretariat on Bermuda[13] and other relevant information,

*Aware* of the statement made by the representative of Bermuda at the Pacific regional seminar held in Quito from 30 May to 1 June 2012,

*Conscious* of the different viewpoints of the political parties on the future status of the Territory, and noting the results of successive surveys by local media, according to which a majority of respondents did not wish to sever ties with the United Kingdom of Great Britain and Northern Ireland, the administering Power, and a minority was in favour of independence,

[13] A/AC.109/2015/6.

*Recalling* the dispatch of the United Nations special mission to Bermuda in 2005, at the request of the territorial Government and with the concurrence of the administering Power, which provided information to the people of the Territory on the role of the United Nations in the process of self-determination, on the legitimate political status options as clearly defined in General Assembly resolution 1541 (XV) of 15 December 1960 and on the experiences of other small States that have achieved a full measure of self-government,

*Noting* serious concerns regarding good governance, transparency and accountability in the Territory, including with respect to external election campaign financing originating in a neighbouring country, which led the Premier to resign in May 2014 with a view to maintaining integrity and confidence in the political landscape,

*Cognizant* of the potential usefulness of regional ties for the development of a small island Territory,

1. *Stresses* the importance of the 2005 report of the Bermuda Independence Commission, which provides a thorough examination of the facts surrounding independence, and continues to regret that the plans for public meetings and the presentation of a Green Paper to the House of Assembly followed by a White Paper outlining the policy proposals for an independent Bermuda have so far not materialized;

2. *Underlines* the need further to strengthen good governance, transparency and accountability in government for the benefit of the Territory;

3. *Requests* the administering Power to assist the Territory by facilitating its work concerning public educational outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

4. *Welcomes* the active participation of Bermuda in the work of the Economic Commission for Latin America and the Caribbean;

## IV
## British Virgin Islands

*Taking note* of the working paper prepared by the Secretariat on the British Virgin Islands[14] and other relevant information,

*Noting* the statement made by the representative of the British Virgin Islands at the Caribbean regional seminar held in Quito from 28 to 30 May 2013 that, while the Territory's relationship with the administering Power was stable and not problematic, it could be enhanced,

*Aware* of the negative impact of the global economic slowdown on the growth of the financial and tourism services sectors of the Territory,

*Cognizant* of the potential usefulness of regional ties for the development of a small island Territory and of the Territory's membership in the Caribbean Overseas Countries and Territories Council,

*Taking note* of the general elections which took place in June 2015,

[14] A/AC.109/2015/7.

1. *Recalls* the 2007 Constitution of the British Virgin Islands, and stresses the importance of continued discussions on constitutional matters, to accord greater responsibility to the territorial Government for the effective implementation of the Constitution and increased levels of education relating to constitutional matters;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Welcomes* the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

4. *Recalls* the holding, in March 2014, of the meeting of the Inter-Virgin Islands Council between the Territory and the United States Virgin Islands;

## V
## Cayman Islands

*Taking note* of the working paper prepared by the Secretariat on the Cayman Islands[15] and other relevant information,

*Conscious* of the statement made by the representative of the territorial Government at the 2010 Pacific regional seminar held in Nouméa,

*Aware* of the work, in accordance with the 2009 Constitution, of the Constitutional Commission, which serves as an advisory body on constitutional matters,

*Aware* that, in spite of the global economic downturn, the tourism sector continued to be one of the key drivers for economic growth and that the financial services sector reportedly continued to bring about slight growth in 2014,

*Cognizant* of the potential usefulness of regional ties for the development of a small island Territory and of the Territory's membership in the Caribbean Overseas Countries and Territories Council,

1. *Recalls* the 2009 Constitution of the Cayman Islands, and stresses the importance of the work of the Constitutional Commission, including its work on human rights education;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public awareness outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Welcomes* the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

4. *Also welcomes* the efforts made by the territorial Government to continue to implement financial sector management policies, medical tourism initiatives and unemployment alleviation programmes in various economic sectors;

[15] A/AC.109/2015/8.

## VI
## Guam

*Taking note* of the working paper prepared by the Secretariat on Guam[16] and other relevant information,

*Noting* the statement made by the representative of the Governor of Guam at the Caribbean regional seminar held in Managua from 19 to 21 May 2015, in which he presented an update on the efforts of Guam towards decolonization, including by securing funding for the public education programme on self-determination, and on the engagement of the Guam Commission on Decolonization for the Implementation and Exercise of Chamorro Self-Determination in reinforcing public awareness in order to address the limited and distorted understanding of decolonization,

*Noting also* the concern expressed by the representative of the Governor about the reinstatement of a lawsuit challenging the voting restrictions for the Territory's plebiscite on self-determination,

*Cognizant* of the efforts made by the Guam Commission on Decolonization to promote in the Territory the holding of a plebiscite on self-determination, to populate the decolonization registry, as required by public law, to enhance the ability to expediently register those who have not yet been registered and to identify and secure territorial and federal resources for a self-determination education programme,

*Aware* that, under United States law, the relations between the territorial Government and the federal Government in all matters that are not the programme responsibility of another federal department or agency are under the general administrative supervision of the Secretary of the Interior,[17]

*Recalling* that, in a referendum held in 1987, the registered and eligible voters of Guam endorsed a draft Guam Commonwealth Act that would establish a new framework for relations between the Territory and the administering Power, providing for a greater measure of internal self-government for Guam and recognition of the right of the Chamorro people of Guam to self-determination for the Territory,

*Aware* that negotiations between the administering Power and the territorial Government on the draft Guam Commonwealth Act ended in 1997 and that Guam has subsequently established a non-binding plebiscite process for a self-determination vote by the eligible Chamorro voters,

*Cognizant* of the importance of the administering Power continuing to implement its programme of transferring surplus federal land to the Government of Guam,

*Noting* that the people of the Territory have called for reform in the programme of the administering Power with respect to the thorough, unconditional and expeditious transfer of land property to the people of Guam,

*Aware* of the deep concern expressed by civil society and other parties regarding the potential social, cultural, economic and environmental impacts of the planned transfer of additional military personnel of the administering Power to the Territory,

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[16] A/AC.109/2015/4.

[17] United States Congress, Organic Act of Guam, 1950, as amended.

*Conscious* that immigration into Guam has resulted in the indigenous Chamorros becoming a minority in their homeland,

1. *Welcomes* the convening of the Guam Commission on Decolonization for the Implementation and Exercise of Chamorro Self-Determination and its ongoing work on a self-determination vote, as well as its public education efforts;

2. *Stresses* that the decolonization process in Guam should be compatible with the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;

3. *Calls once again upon* the administering Power to take into consideration the expressed will of the Chamorro people as supported by Guam voters in the referendum of 1987 and as subsequently provided for in Guam law regarding Chamorro self-determination efforts, encourages the administering Power and the territorial Government to enter into negotiations on the matter, and stresses the need for continued close monitoring of the overall situation in the Territory;

4. *Requests* the administering Power, in cooperation with the territorial Government, to continue to transfer land to the original landowners of the Territory, to continue to recognize and to respect the political rights and the cultural and ethnic identity of the Chamorro people of Guam and to take all measures necessary to address the concerns of the territorial Government with regard to the question of immigration;

5. *Also requests* the administering Power to assist the Territory by facilitating public outreach efforts, including through the funding of the public education campaign, consistent with Article 73 *b* of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested, and welcomes the recent outreach work by the territorial Government;

6. *Further requests* the administering Power to cooperate in establishing programmes for the sustainable development of the economic activities and enterprises of the Territory, noting the special role of the Chamorro people in the development of Guam;

## VII
## Montserrat

*Taking note* of the working paper prepared by the Secretariat on Montserrat[18] and other relevant information,

*Noting with concern* the continuing consequences of the 1995 volcanic eruption which led to the evacuation of three quarters of the population of the Territory to safe areas of the island and to areas outside the Territory and which continues to have enduring consequences for the economy of the island,

*Acknowledging* the continuing assistance provided to the Territory by States members of the Caribbean Community, in particular Antigua and Barbuda, which has offered safe refuge and access to educational and health facilities, as well as employment for thousands who have left the Territory,

[18] A/AC.109/2015/9.

*Noting* the continuing efforts of the administering Power and the territorial Government to deal with the consequences of the volcanic eruption,

*Aware* that Montserrat continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

*Taking note* of the letter dated 2 June 2015 from the Premier of Montserrat addressed to the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, requesting to address the Special Committee in order to share the concerns of his Government regarding some situations that affect the lives of Montserratians,

*Noting* the importance of improving the infrastructure and accessibility of Montserrat, as conveyed by the Premier of Montserrat to the Chair of the Special Committee in their meeting on 11 May 2015,

*Cognizant* of the potential usefulness of regional ties for the development of a small island Territory and of the Territory's membership in the Caribbean Overseas Countries and Territories Council,

1. *Recalls* the 2011 Constitution of Montserrat and the work of the territorial Government with respect to moving forward to consolidate the gains provided for in the Constitution;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Welcomes* the Territory's participation in the work of the Organization of Eastern Caribbean States and the Economic Commission for Latin America and the Caribbean;

4. *Calls upon* the administering Power, the specialized agencies and other organizations of the United Nations system, as well as regional and other organizations, to continue to provide assistance to the Territory in alleviating the consequences of the volcanic eruption;

## VIII
## Pitcairn

*Taking note* of the working paper prepared by the Secretariat on Pitcairn[19] and other relevant information,

*Taking into account* the unique character of Pitcairn in terms of population, area and access,

*Aware* that the administering Power and the territorial Government have implemented a governance structure to strengthen administrative capacity in the Territory, based on consultations with the people of the Territory, and that Pitcairn continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

[19] A/AC.109/2015/5.

*Cognizant* that the administering Power and the territorial Government have developed a five-year strategic development plan, covering the period from 2012 to 2016, that sets out the views and aspirations of the people of the Territory for the socioeconomic development of the Territory,

*Aware* of the assessment made in 2013 that the population of the Territory needs to be boosted if the Territory is to have a sustainable future and of the approval by the Pitcairn Island Council of an immigration policy and the repopulation plan, covering the period from 2014 to 2019, designed to promote immigration and repopulation and bring people with the necessary skills and commitment to Pitcairn,

*Noting with concern* the findings contained in the final report on the survey commissioned by the Pitcairn Island Council to ascertain whether members of the diaspora had any interest in returning to the Territory and the factors conditioning a decision,

1. *Welcomes* all efforts by the administering Power and the territorial Government that would further devolve operational responsibilities to the Territory, with a view to gradually expanding self-government, including through training of local personnel;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Also requests* the administering Power to continue its assistance for the improvement of the economic, social, educational and other conditions of the population of the Territory and to continue its discussions with the territorial Government on how best to support socioeconomic and environmental security in Pitcairn, including concerning demographic matters;

4. *Welcomes* the work carried out on the preparation of the five-year strategic development plan for the island;

## IX
## Saint Helena

*Taking note* of the working paper prepared by the Secretariat on Saint Helena[20] and other relevant information,

*Taking note also* of the statement made by the representative of Saint Helena at the Caribbean regional seminar held in Managua from 19 to 21 May 2015 that the Territory had no aspiration to independence and had been able to have a formal form of government,

*Noting* the concerns expressed by the representative of Saint Helena about the potential negative impacts of the construction of the airport, including the growing number of expatriate families settling in the Territory and the lack of a specific plan to operate an air route or sea link between Saint Helena and neighbouring islands,

[20] A/AC.109/2015/1.

*Noting also* the information provided by the representative of Saint Helena that, although the 2009 Constitution of Saint Helena enshrined human rights provisions, some international instruments, including the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities, have not yet been extended to the Territory,

*Taking into account* the unique character of Saint Helena in terms of its population, geography and natural resources,

*Recalling* the fact that, in January 2013, following a resolution passed in September 2012 by the Legislative Council to undertake minor adjustments to the 2009 Constitution, a public consultation process was launched,

*Aware* that a consultative poll was held in March 2013, with the majority opting for no change to the Constitution, and that, for the first time, a general election based on one constituency was held in July 2013,

*Cognizant* that Saint Helena continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

*Aware* of the efforts of the administering Power and the territorial Government to improve the socioeconomic conditions of the population of Saint Helena, in particular in the areas of employment, transport and communications infrastructure,

1. *Stresses* the importance of the 2009 Constitution of the Territory and the further development of democratic and good governance;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Requests* the administering Power and relevant international organizations to continue to support the efforts of the territorial Government to address the socioeconomic development challenges of the Territory;

## X
## Turks and Caicos Islands

*Taking note* of the working paper prepared by the Secretariat on the Turks and Caicos Islands[21] and other relevant information,

*Taking note also* of the statement made by the representative of the Turks and Caicos Islands at the Caribbean regional seminar held in Managua from 19 to 21 May 2015,

*Recalling also* the dispatch of the United Nations special mission to the Turks and Caicos Islands in 2006 at the request of the territorial Government and with the concurrence of the administering Power,

*Noting* the decision of the administering Power to suspend parts of the 2006 Constitution, the subsequent presentation of a draft constitution for public consultation in 2011 and the introduction of a new constitution for the Territory, as well as the election of a new territorial Government in 2012,

[21] A/AC.109/2015/11.

*Aware* that the 2014 report of the Constitutional Review Committee, which was submitted to and considered by the House of Assembly, is under consideration by the administering Power,

*Recalling* that, in March 2014, the Heads of Government of the Caribbean Community received an update on the situation in the Turks and Caicos Islands, which they will continue to monitor, and that they expressed their support for the full restoration of democracy in the Territory on terms driven by its people,

*Acknowledging* the impact that the global economic slowdown and other relevant developments have had on tourism and related real estate development, which are the mainstays of the economy of the Territory,

1. *Reiterates its support* for the full restoration of democracy in the Territory and the work of the Constitutional Review Committee in that regard, and notes the efforts of the administering Power to restore good governance, including through the introduction in 2011 of a new constitution and the holding of elections in November 2012, and sound financial management in the Territory;

2. *Notes* the positions and repeated calls of the Caribbean Community and the Movement of Non-Aligned Countries in support of a democratically elected territorial Government and of the full restoration of democracy in the Territory as decided by its people;

3. *Also notes* the continuing debate on constitutional reform within the Territory, and stresses the importance of participation by all groups and interested parties in the consultation process;

4. *Stresses* the importance of having in place in the Territory a constitution that reflects the aspirations and wishes of its people, based on the mechanisms for popular consultation;

5. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

6. *Welcomes* the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

7. *Also welcomes* the continuing efforts made by the territorial Government addressing the need for attention to be paid to the enhancement of socioeconomic development across the Territory;

## XI
## United States Virgin Islands

*Taking note* of the working paper prepared by the Secretariat on the United States Virgin Islands[22] and other relevant information,

*Aware* that, under United States law, the relations between the territorial Government and the federal Government in all matters that are not the programme

[22] A/AC.109/2015/10.

responsibility of another federal department or agency are under the general administrative supervision of the Secretary of the Interior,[23]

*Aware also* of the fifth attempt of the Territory to review the existing Revised Organic Act, which organizes its internal governance arrangements, as well as its requests to the administering Power and the United Nations system for assistance to its public education programme,

*Cognizant* that a draft constitution was proposed in 2009 and subsequently forwarded to the administering Power, which in 2010 requested the Territory to consider its objections to the draft constitution,

*Cognizant also* that the Fifth Revision Convention, established and convened in 2012, was mandated to ratify and approve the final revised draft constitution,

*Noting* the holding of elections in the Territory in November 2014,

*Aware* of the closing of the Hovensa plant, and noting the continuing negative impact on manufacturing and on the employment situation in the Territory,

*Cognizant* of the potential usefulness of regional ties for the development of a small island Territory,

1. *Welcomes* the proposal of a draft constitution emanating from the Territory in 2009, as a result of the work of the United States Virgin Islands Fifth Constitutional Convention, for review by the administering Power, and requests the administering Power to assist the territorial Government in achieving its political, economic and social goals, in particular the successful conclusion of the internal Constitutional Convention exercise;

2. *Requests* the administering Power to facilitate the process for approval of the proposed territorial constitution in the United States Congress and its implementation, once agreed upon in the Territory;

3. *Also requests* the administering Power to assist the Territory by facilitating its work concerning a public education programme, consistent with Article 73 *b* of the Charter, and in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

4. *Expresses its concern* regarding the continuing negative impact of the Hovensa plant closure;

5. *Reiterates its call* for the inclusion of the Territory in regional programmes of the United Nations Development Programme, consistent with the participation of other Non-Self-Governing Territories;

6. *Welcomes* the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

7. *Recalls* the holding, in March 2014, of the meeting of the Inter-Virgin Islands Council between the Territory and the British Virgin Islands.

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[23] United States Congress, Revised Organic Act, 1954.